

REMARKS

Entry of the foregoing amendments and reconsideration of this application are respectfully requested in view of the following remarks. Claims 4-7, 13-27, 29, and 31-35 are pending in the application, with claims 15, 21, 25, and 33-35 being the independent claims. The Applicants respectfully submit that these amendments introduce no new matter. Based on the above Amendments and the following Remarks, the Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections.

Interview Summary

On behalf of the Applicants, the undersigned wishes to express appreciation to Examiner Clow for the courtesies extended during the interview conducted on September 7, 2006. During the interview, Applicants' representatives discussed proposed amendments to the pending claims to address the rejections under § 112. The Examiner indicated that the proposed claim amendments overcame the rejections.

The Claims As Amended Are Definite

Claims 4-7 and 12-35 were rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite. As discussed during the interview, independent claims 15, 21, 25 and 33-35 have been amended to clarify the Applicants' invention.

Claim 15 was rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite in its reference to testing a bioassay process against a control model. As discussed during the interview, this claim has been amended to recite "evaluating the results from a bioassay process."

Claims 15 and 21 were rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite because of a lack of clarity in what process was being implemented and what actually was being tested. As discussed during the interview, these claims have been amended to recite methods for evaluating the results of a bioassay process.

Claims 21, 25 and 35 were rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite in their recitation of a quality control method for a bioassay process. As discussed during the interview, independent claims 25 and 35 were also amended to recite a method for evaluating the results of a bioassay process. Independent claims 33 and 34 were not specifically

discussed in the Office Action; however, they were similarly amended to more clearly describe the Applicants' invention.

Accordingly, the Applicants respectfully submit that the claims as amended are definite.

The Claims As Amended Comply With the Enablement Requirement

Claims 4-7 and 12-35 were rejected under 35 U.S.C. §112, 1st paragraph as failing to comply with the enablement requirement in that practicing the invention as claimed would require undue experimentation. As discussed during the interview, the Applicants have amended the independent claims to more clearly indicate that it is the results of the bioassay or bioassay process that are being evaluated. Accordingly, the Applicants respectfully submit that the claims as amended are allowable.

CONCLUSION

All of the stated grounds of rejection have been properly traversed or rendered moot. The Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

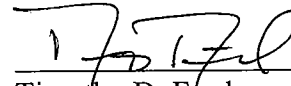
Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: SEPTEMBER 13, 2006

Cooley Godward LLP
ATTN: Patent Group
The Bowen Building
875 15th Street, N.W., Suite 800
Washington, DC 20005-2221
Tel: (703) 456-8000
Fax: (202) 842-7899

Respectfully submitted,
COOLEY GODWARD LLP

By:



Timothy D. Ford
Reg. No. 47,567